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Conference

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 HASSAN A. ABBAS, ESQ.,

4 Plaintiff,

5 v.

15 CV 1545 (RJS)

6 ORRICK, HERRINGTON SUTCLIFFE,
7 LLP and RICHARD A. MARTIN,
ESQ.,

8 Defendants.

9 -----x

10 New York, N.Y.
11 April 12, 2016
8:50 a.m.

12 Before:

13 HON. RICHARD J. SULLIVAN,

14 District Judge

15 APPEARANCES

16 HASSAN ABBAS, ESQ., PRO SE

17 ORRICK, HERRINGTON & SUTCLIFFE, LLP
Attorneys for Defendants

18 BY: KATHERINE L. MACO
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1 (Case called)

2 THE COURT: Have a seat. Thank you.

3 All right. It is now 9:15. We scheduled this, or
4 moved this conference to nine o'clock because I unfortunately
5 have a funeral to go to. So Mr. Abbas called and said he's
6 running late, that the weather and traffic have conspired to
7 keep him from here but it's getting tricky now. So let me just
8 hear from counsel.

9 MR. ABBAS: Good morning, your Honor.

10 THE COURT: OK. Mr. Abbas, come on in.

11 MR. ABBAS: I apologize for the delay. I was stuck in
12 traffic.

13 THE COURT: OK. Come to the front table.

14 Let's take appearances for plaintiff representing
15 himself. Would you state your name for the record for the
16 court reporter.

17 MR. ABBAS: My name is Hassan Abbas.

18 THE COURT: OK. Good morning. And for the defendant?

19 MS. MACO: Morning, your Honor.

20 Katherine Maco, from Orrick Herrington, on behalf of
21 the defendants.

22 THE COURT: All right. Good morning.

23 OK. We're here in connection with the order and
24 opinion that I issued back on, I guess it was March 16
25 directing Mr. Abbas to make a submission and to appear as to

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1 why he shouldn't be sanctioned and why there shouldn't be a
2 filing injunction against him based on what I deem to be a
3 frivolous suit and given the Second Circuit's conclusion that
4 there had been a history and a pattern of filing frivolous
5 motions in the related action that went up on appeal. And so I
6 now have a submission from Mr. Abbas.

7 I didn't make the defendants respond, so have you seen
8 Mr. Abbas' submission?

9 MS. MACO: We have.

10 THE COURT: Is there anything you'd like to say in
11 response?

12 MS. MACO: Your Honor, the only thing that I'll note
13 is that it seems to be just another instance of Mr. Abbas
14 failing to actually respond to the issue that is the heart of
15 your Honor's request. It seems to be his mission is more
16 related to rearguing the merits of Mr. Abbas' tortious
17 interference claim that your Honor decided and not in fact
18 responsive to your Honor's request to show cause why sanctions
19 in this case should not be issued.

20 And I think to the extent that there's reargument, I
21 think it's not responsive and shouldn't be considered and I
22 think that is --

23 THE COURT: Well, with respect to the merits, again, I
24 think I was very clear in my ruling. There is one e-mail which
25 was then I guess compounded with a series of CC and forwarded

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1 e-mails by Mr. Abbas but there's really one e-mail by
2 defendants to the law firm. And for the reasons set forth in
3 my opinion, I'm not revisiting that. The issue really with
4 respect to the sanctions motion is what is it going to take to
5 prevent future and further frivolous motions? That's really
6 the issue.

7 And so let me ask you, Ms. Maco, are you concerned or
8 worried that there is going to be more after this?

9 MS. MACO: We are, your Honor. And in fact I'll just
10 note a couple things that have happened since the filings in
11 this related to motions to dismiss. Two particular things, one
12 of which your Honor may not be aware of. At the same time that
13 Mr. Abbas filed a tortious interference action he also filed
14 another case in the New York state courts and since --

15 THE COURT: Against whom?

16 MS. MACO: Against KBC. And it was styled as a motion
17 for summary judgment in lieu of complaint that sought payment
18 of the two bank checks that were at issue in the original of
19 these actions before your Honor. And since the time of the
20 underlying briefing in this case in early February that matter
21 came to a conclusion when we had our hearing before the Justice
22 Braun, New York state Supreme Court. And he read an order onto
23 the record in which he dismissed the action. And he also
24 issued a warning to Mr. Abbas and Midamines as well, that
25 plaintiff should be mindful of the fact that they've already

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1 been warned in federal court and could take this a notice of
2 the possibility that if another meritless case with merit
3 claims request are asserted in another action or any further
4 motion, the plaintiff could be subjected to sanctions.

5 And I have that form order for the Court if the Court
6 would like to receive a copy.

7 THE COURT: Sure. You can hand it up. It's a public
8 document, so no problem in handing up a copy.

9 You've seen this, Mr. Abbas, I assume?

10 MR. ABBAS: I'm seeing this for the first time.

11 THE COURT: This is a case in which you are a party.

12 MR. ABBAS: Yes, but this document is the first time
13 I've seen it, your Honor.

14 THE COURT: Well, you are not getting court documents
15 in a case in which you are the plaintiff?

16 MR. ABBAS: Well, I'm --

17 THE COURT: This is from February? This is part of my
18 worry, Mr. Abbas, is that you are litigating remotely, not
19 following dockets, just sort of tossing in motions and actions
20 that have no clear thought and no merit. You're causing other
21 people to incur a lot of expenses. You are causing courts to
22 waste a lot of time and it's all because, frankly, you don't
23 much care about that or maybe that's your purpose. But in the
24 mean time you are just sort of doing your thing some place
25 else. You've now had three courts threaten to sanction you for

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1 your conduct. Do you think that we've all just got it wrong
2 and you are just a hapless victim of a misunderstanding? You
3 are you not seeing a pattern emerging here that three courts
4 have considered what you are filing to be meritless?

5 MR. ABBAS: If I may respond, your Honor?

6 THE COURT: Yes, you may respond. Could you move the
7 microphone closer to you.

8 MR. ABBAS: Your Honor, there's a lot of issues in
9 your question and in some of the issues that Ms. Maco brought
10 up. I felt this was a Rule 11 hearing with respect to the
11 complaint, the tortious interference but I will go back to the
12 beginning.

13 THE COURT: Well, it is that. And so the question is
14 what is it going to take to deter you from filing frivolous
15 motions and actions? And so Ms. Maco now brings to my
16 attention an action that you brought in the state which is just
17 a rehash, it seems to me on my brief review, of the prior
18 action here in federal court. And the state judge has reached
19 the same conclusion that the Second Circuit did and that I now
20 have or at least that I warned which is that this is frivolous.
21 So, what's going on?

22 MR. ABBAS: No, Judge Braun in the state court did not
23 say that it was frivolous. Judge Braun simply ruled that the
24 forum clause applied and that it should be transferred to
25 Belgium and they had specifically requested sanctions for

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1 filing frivolous claims. But Judge Brown said it was well
2 argued and we presented the UCC argument and we presented the
3 law on bank checks which supported the payments on the checks
4 and --

5 THE COURT: Well, this is the judge said in that case.

6 In this case the numerous duplicative, senseless,
7 confusing and sometimes illogical motions interposed by the
8 petitioners warrant a finding that the conduct engaged in by
9 petitioners was undertaken primarily to delay the resolution of
10 the underlying action and to harass and/or maliciously injure
11 the respondents herein.

12 That's a quote from Hershowitz. She's basically
13 saying that's what went on in your case, right?

14 MR. ABBAS: Your Honor, you know I was at the hearing
15 when Judge Braun made the decision on the forum clause issue
16 and on the summary judgment issue in lieu of complaint which
17 applies to bank checks and to monetary instruments. The case
18 here that was filed here was on a negotiable instrument,
19 monetary instrument which I received a payment for my fees and
20 I filed a pro se action. At the beginning of the case I was
21 representing myself and I was representing pro hac vice
22 Midamines SPR Limited which is the Illinois Corp. And Handler
23 Thayer that was in 2012. Steven Thayer and Thomas Handler had
24 nothing to do with the case. I became counselor with Tom
25 Handler and Steve Thayer in 2014. And therefore, when the

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1 sanctions order came from the Second Circuit on that motion to
2 disqualify, OK, it addressed the appellant which was myself and
3 Midamines SPR Limited which is an Illinois Corp and I didn't
4 fully understand why the Illinois Corp was being sanctioned and
5 I wasn't aware of the actual sanction standard in that order of
6 the Second Circuit. It just said vexatious, frivolous and you
7 have to pay reasonable attorney's fees.

8 Now there was no obligation on Steve Thayer or Thomas
9 Handler to pay any fees. They misused that order of the Second
10 Circuit which never authorized them to contact my colleagues in
11 Illinois and threaten them. You referred to one e-mail. But
12 that one e-mail, your Honor, was the kiss of death for my
13 relationship with Tom Handler and Steve Thayer because as soon
14 as they received that e-mail, the next day my relationship with
15 them was terminated and my bio on the website was taken off.
16 And I established because we had a --

17 THE COURT: You are sort of rearguing the merits of
18 this. You don't intend to answer the question, right? So, do
19 you intend to file more actions and more motions in this or any
20 of the related cases that have been filed to date, yes or no?
21 Do you intend to sort of keep this going?

22 MR. ABBAS: Your Honor, my intention is simply to get
23 my checks paid and to recover my money. I don't think I'm
24 being frivolous or meritless in trying to recoup money that KBC
25 has held since 2012. No, your Honor, this money has been

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1 sitting in New York --

2 THE COURT: There was an arbitration that was supposed
3 to cover that, right?

4 MR. ABBAS: No, your Honor, there was no arbitration.
5 There were initially two banks, your Honor, if I can explain
6 the background please. First, there was an account in a bank.

7 THE COURT: Again, I think you're arguing -- you are
8 trying to reargue the merits of things and I'm just trying to
9 figure out what is the likelihood of continued vexatious
10 litigation, which I'm not the first person to say that. That's
11 what the Second Circuit characterized your litigation tactics
12 as and that's what the judge in New York state who is Judge
13 Braun said at end of his decision.

14 Plaintiff should be mindful of the fact they've
15 already been warned in federal court and should take this as
16 notice of the possibility that if another meritless case with
17 meritless claims which rise to the level of frivolity are
18 asserted in another action or in another further motion, the
19 plaintiffs could be subjected to sanctions at that point. So
20 that's the judge finding a meritless case with meritless
21 claims.

22 MR. ABBAS: Well, your Honor, I understand that this
23 Court and the Second Circuit and the state court said that the
24 claim was frivolous or meritless. I respectfully disagree with
25 that, your Honor. With all due deference to the Court because

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1 my money has been here in New York for four years and they
2 don't have any right to keep that money or to possess that
3 money. Now we're going to file, you're asking about future
4 litigation.

5 THE COURT: Yes.

6 MR. ABBAS: My intention was to file it in Belgium
7 now. Your Honor said it should be filed in Belgium although
8 the forum clause itself didn't specify Belgium. It specified
9 particular province in a particular bank. There was no banking
10 relationship with KBC. We have no contract with KBC. We have
11 no bank account with KBC.

12 THE COURT: So I got it wrong. The circuit got it
13 wrong. Are you rearguing that?

14 MR. ABBAS: No.

15 THE COURT: You are just rearguing these things over
16 and over. It's sort of like dealing with a child.

17 MR. ABBAS: No, your Honor.

18 THE COURT: No, it is because I have children, so I
19 understand how it works. But none of that changes anything,
20 OK? I ruled. The Circuit affirmed. The Circuit sanctioned
21 you for frivolous and vexatious motions. They sent it to me to
22 determine what that amount would be. You then turn around and
23 come back with a new action against the lawyers designed, as
24 I've already found, really just to stick it to them, just to
25 make life difficult and so I've already ruled on merits of

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1 that. I do think it was meritless. I think it was designed
2 just to antagonize an adversary who beat you in the district
3 court and the circuit and I don't think there is any good faith
4 basis for making the claims that you've made. So I've ruled on
5 that. The real issue is, are you going to keep doing this?
6 And I think the answer is "yes". I think you said, yes, you do
7 intend to do this.

8 MR. ABBAS: No. I said, you Honor, that you
9 transferred the case to Belgium and that we are going to
10 pursue --

11 THE COURT: So why did you go to New York state court?

12 MR. ABBAS: Well, the state court because I had the --
13 there was a law which allowed accelerated payment of checks
14 rather than going and spinning our wheels for four years in a
15 Belgium court.

16 THE COURT: It was better to spin Justice Braun's
17 wheels in a case which he characterizes as meritless and with
18 meritless claims?

19 MR. ABBAS: He didn't say that, I don't think so.

20 THE COURT: He didn't say that? I've just quoted it
21 had.

22 MR. ABBAS: At least not to me personally when I was
23 in court with him. He said Mr. Abbas did not file frivolous
24 motions in this court.

25 THE COURT: This is the transcript. Maybe it's been

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1 doctored. Are you accusing them of doctoring this? It says
2 that you were there. This is the date I'm looking at February
3 5. The proceedings are transcribed. And in it I quoted the
4 language from this case which was Hershowitz v. Thompkins which
5 the Court quoted. And it's not set out in quotation, so the
6 transcript is a little confusing but that's at page ten. And
7 then on page 12 the judge makes it clear that he is not going
8 to sanction you at that time but he puts you on notice that if
9 another meritless case with meritless claims is asserted in
10 another action or in any further motion plaintiff could be
11 subjected to sanctions. So, clearly Justice Braun was no more
12 impressed with the arguments than I or the Second Circuit have
13 been. So, why were you in state court?

14 MR. ABBAS: As I explained, your Honor, there's a law
15 for accelerated judgment of payment of monetary instruments.
16 So, it's a summary judgment motion in lieu of complaint. We
17 filed one motion and they filed their response about the forum
18 clause and the judge ruled that the forum clause applied and
19 that was the end of the matter. He didn't look at the UCC
20 violations of New York because if you recall, your Honor --

21 THE COURT: Right. That made it a meritless claim.

22 MR. ABBAS: Your Honor, I mean I understand that this
23 word "meritless" and "vexatious" has been used in all these
24 documents but the fact remains, your Honor, that they are
25 holding money that does not belong to them and I received those

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1 checks. Those checks are still not paid. So it's not
2 frivolous when somebody is looking to recover their fees.

3 THE COURT: It's frivolous when you go to the wrong
4 court. It's frivolous when you attempt to short circuit the
5 procedures that were already agreed to or already set forth
6 under the law or in a court's opinion which has been affirmed.
7 So that's the problem. You have a tendency to sort of want to
8 do things your way. So are you contemplating any further
9 actions in United States regarding these checks?

10 MR. ABBAS: No, your Honor. I'm contemplating to
11 start the case in Belgium for payment of the bank checks.

12 THE COURT: Okay. Let's stop there.

13 Ms. Maco, so one of the things I'm supposed to
14 consider is the likelihood of continued filings. And so
15 Mr. Abbas has said that he's not intending to file any more
16 actions in the United States. Do you not believe him?

17 MS. MACO: Well, your Honor, up to that point -- since
18 the time that your Honor issued the March 16 order that brings
19 us here today, the Court was considering and likely to issue
20 sanctions. Mr. Abbas has filed additional filings on motions
21 for reconsideration of the Court's ruling that the fees were
22 reasonable which was denied and has appealed both that order
23 and the order in this case to the Second Circuit.

24 THE COURT: Well, I'm not sure that a filing
25 injunction and sanctions can prevent somebody from appealing.

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1 I think he's got a right to appeal. But are you concerned that
2 there will be other actions regardless of how that appeal goes
3 that will have you popping up in courtrooms all over the
4 country?

5 MS. MACO: Yes, your Honor. Certainly, he has a right
6 to appeal but he seems to have no intent to stop litigating
7 these matters. It seems to just be a continuous campaign of
8 litigation here and I have absolutely no reason to think that
9 he wouldn't file actions elsewhere.

10 THE COURT: He is talking about filing an action in
11 Belgium.

12 MS. MACO: Yes, your Honor.

13 THE COURT: You are not objecting to that or are you?

14 MS. MACO: No, your Honor. As we've argued in
15 underlying Midamines action we think that Belgium is the
16 appropriate place. We think this claim is meritless but if he
17 brings it in the appropriate forum we'll obviously address it.
18 We have no reason to think that he won't continue to file
19 additional actions under other index numbers, perhaps, in this
20 court, go to other jurisdictions.

21 THE COURT: He just said that he is not going to do
22 that. You don't believe him?

23 MS. MACO: Respectfully, your Honor, we have no reason
24 to think that he will stop his campaign.

25 THE COURT: And then one of the considerations or

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1 monetary sanctions as a deterrent and the calculation of
2 monetary sanctions can include or at least requires
3 consideration of what counsels spend so far. Now that's the
4 not the only consideration but it is a consideration. So how
5 much has your firm spent so far in litigating this action?

6 MS. MACO: In this particular action, I don't have
7 those figures at my disposal at the moment but I'm certainly
8 willing to make a submission and indicate how much we've spent
9 on this action to date.

10 THE COURT: OK. One of the points that Mr. Abbas has
11 made is that he doesn't have the wherewithal to pay sanctions
12 which is a consideration. So what's your response to that?

13 MS. MACO: Well, my response to that is that I think
14 that Mr. Abbas' representations that he doesn't have the
15 ability to pay should not necessarily make him immune from
16 potential sanctions that might be at issue. Otherwise, he may
17 have no --

18 THE COURT: Well, a filing sanction will prevent an
19 indigent litigate from just clogging the courts and wasting
20 everyone's time. That's what it's there for. Monetary
21 sanctions are designed to effectively deter the same kind of
22 conduct and they're not likely to be useful against somebody
23 who's indigent. And so do you have any knowledge or any reason
24 to doubt the state of Mr. Abbas' financial affairs.

25 MS. MACO: We have no insight into Mr. Abbas'

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1 financial affairs. I know that he seems to be pursuing
2 litigation here, although, he lives abroad and coming back and
3 forth for court hearings and such. So I have no specific
4 information about his financial situation. I would say that I
5 think that leave to file sanctions are of foremost concern or
6 foremost priority for us. This campaign has just go on far too
7 long and I think it's time to be stopped.

8 THE COURT: OK. Mr. Abbas, tell me about the state of
9 your finances. You have claimed that you don't have the
10 ability to even pay the sanctions that were ordered by the
11 Second Circuit and I made the finding of the dollar amount but
12 they're the ones who contemplated that you should have to pay
13 it. So what does it say to your finances right now?

14 MR. ABBAS: Well, your Honor, I don't have the money.
15 You ordered me to pay 70,000. That's impossible. I don't have
16 that kind of money at all. And I would like to respond to a
17 few of the points that were raised.

18 THE COURT: I think you are going to need to more than
19 just say, "I don't have the money". I think you are probably
20 going to have to submit a declaration and indicate what sort of
21 assets you do have because you're the one who is asserting that
22 you're unable to pay any sanctions.

23 MR. ABBAS: Yeah, your Honor, that is right.

24 THE COURT: You are flying back and forth between
25 continents litigating in multiple form.

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1 MR. ABBAS: Well, your Honor, thank good for my mother
2 because she is helping me out and that's truth. I have to
3 borrow money from her to come here. And the fact is that in
4 Beirut we have a house. I'm with my mom and dad and we have --
5 so, as I explained to your Honor I continue in my legal
6 education in Beirut. I registered at university there and it's
7 a Lebanese university. I'm taking law courses in Arabic and
8 trying to register for the Beirut bar. So the financial
9 aspect, honestly, your Honor, I don't have the money. I can't
10 pay it.

11 And I also appealed it because I feel it is
12 unreasonable, your Honor, because they overstaffed the motion.
13 I'm one lawyer. I prepared that motion to disqualify. They
14 could have had one lawyer prepare the response. They didn't
15 need five lawyers conferencing with each other for I don't know
16 how much it was exactly. So I think it was overbilled and over
17 litigate and that is why I appealed the decision, your Honor.

18 And with respect to this Rule 11, you are talking
19 about the deterrence factors, the Rule 11 as you said is to
20 deter frivolous litigation, not to impose monetary sanctions
21 that are --

22 THE COURT: Right. I just said that.

23 MR. ABBAS: And I think with the element of cause of
24 action if we go to the tortious interference element --

25 THE COURT: This is rearguing the merits again, so.

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1 MR. ABBAS: But I just want to say, your Honor, I know
2 you disagree with me with some the elements you know but I
3 alleged the elements. I alleged there was a relationship that
4 was interfered with.

5 THE COURT: You don't have to allege. You have to
6 plausibly allege.

7 MR. ABBAS: And plausibly, of course, no one likes to
8 be sued. When Tom Handler and no one like to be threatened
9 with law suit. When Tom Handler received an e-mail saying
10 that Mr. Abbas doesn't pay, we are going to look to you to pay,
11 the follow-up e-mail says when I asked, please, don't send any
12 more e-mails. He said, no, I will decide how to collect. So
13 he wanted to collect against Tom and Steve. So, of course,
14 when they heard those things they didn't want to be financially
15 responsible for sanctions or for having problems with the
16 lawsuit. Of course they decided to terminate the relationship.
17 So that's why I understand you disagreed and you said --

18 THE COURT: I've ruled on this. OK?

19 MR. ABBAS: But I just want to say, your Honor, that I
20 pleaded all the elements of the cause of action and they were
21 supported by facts. I even mentioned a church v. Liberty case
22 which has the four elements.

23 THE COURT: There is no question of what the elements
24 are. The issue is on the facts that you allege could a
25 reasonable fact finder conclude that you had a cause of action

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1 here? And the answer I felt was resoundingly "no". I've ruled
2 and so you can appeal that. I don't think a filing sanction
3 can prevent you from appealing. No one's arguing otherwise.
4 But I don't think there's any point in rearguing the motion now
5 when I've ruled on the motion.

6 We're here for a different purpose and that is, what
7 is it going to take to stop you from filing frivolous lawsuits
8 and frivolous motions? Frivolous motions that the Second
9 Circuit found to be vexatious and that an action that although
10 the State Supreme Court didn't sanction you, put you on notice
11 that continued actions of that kind were going to resolve,
12 potentially result in sanctions? So I don't think the message
13 is getting through.

14 MR. ABBAS: Your Honor, I understand you ruled on it.
15 It was a 12(b)(6) motion to dismiss. My only point is that
16 even though the 12(b)(6) motion was granted doesn't necessarily
17 mean sanctions are appropriate is what my point is, your Honor.

18 And I want to say with respect to this Belgium
19 litigation, she says I have no idea, she's speculating he might
20 file cases all over the United States in every single district
21 court. A few weeks ago when I was in Belgium or a month ago I
22 sent to Ms. Maco a request because there's a financial
23 ombudsman in Belgium that assists parties in dealing with banks

24 THE COURT: I understand.

25 MR. ABBAS: So I wrote a letter to the ombudsman to

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1 see if this matter could be settled that KBC has been holding
2 money in New York for four years and in Brussels for four years
3 that doesn't belong to hem. So I asked the ombudsman to
4 intervene and I asked Ms. Maco, can you please let me know who
5 are the attorneys for the KBC in Brussels that I can
6 communicate with. She never answered me. No response,
7 whatsoever.

8 So KBC did not want to proceed with any potential
9 resolution of the case in Belgium. So that's why I'm
10 contemplating to start the case there not in the United States.
11 I got the message from your Honor and from the state court that
12 they don't want to hear that claim on checks that it should be
13 in Belgium.

14 THE COURT: But the Second Circuit weighed in on this
15 too.

16 MR. ABBAS: On the Second Circuit, your Honor, with
17 the motion to disqualify -- I just want to clarify one point,
18 your Honor. I was trying to alert the Second Circuit about an
19 e-mail that I received. They say it was inadvertent. I don't
20 know if it was or not but they said it was inadvertent where
21 Mr -- so I filed a motion to disqualify to alert the court that
22 this is it.

23 THE COURT: The Second Circuit affirmed my ruling with
24 respect to the checks, right?

25 MR. ABBAS: The Second Circuit affirmed the ruling

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1 with respect to the forum clause. You never decided on the
2 merits of the checks.

3 THE COURT: No, no. Of course, I didn't decide on the
4 merits of the checks.

5 MR. ABBAS: It was just a procedural question.

6 THE COURT: The point is, it was appeal to the Second
7 Circuit. It was affirmed. In the course of that appeal you
8 made motions that the Second Circuit found to be frivolous and
9 vexatious and they ordered you to pay the costs associated with
10 that.

11 So anyway we're kind of just rehashing here. I would
12 like I guess submissions from Mr. Abbas as to his financial
13 circumstances and his ability to pay the sanction, the monetary
14 sanction.

15 and I would like a statement of what has been spent by
16 the defendants here in litigating this action, not the other
17 stuff, just this action. That I think is relevant to a
18 determination as to whether monetary sanctions are appropriate.

19 With respect to filing sanctions, I'm going to reserve
20 on that and decide whether it's appropriate in light of what
21 was said here today. OK?

22 All right. Thank you. Anything else we should cover?
23 Let's have those within two weeks. OK? I'd like those
24 submissions. So you have a declaration of your financial
25 circumstances and the same two weeks for defendants to make a

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1 declaration with exhibits if necessary about what has been
2 spent on this case.

3 If some portion of this is something that should be
4 filed under seal you can make that request. There's a
5 presumption of open records but that presumption can be
6 overcome where it involves financial privacy and things like
7 that. So if you wish to make a filing under seal or redacted,
8 in a redacted form just make that request, citing to the
9 relevant case law. The key case is I guess the Lugosch case,
10 L-U-G-O-S-C-H, OK?

11 So two weeks from today puts us at April 26, OK? So
12 the 26th of April, is that all right?

13 You can do that, Mr. Abbas?

14 MR. ABBAS: Yes, your Honor.

15 THE COURT: OK. All right. So if anyone needs a copy
16 of this transcript they can take that up with the court
17 reporter. I have to run now, but thanks. Have a good day.

18 (Adjourned)